

South Dakota Public Utilities Commission Meeting  
Tuesday, April 10, 2007, at 9:30 A.M.  
State Capitol Building, Room 412  
Pierre, South Dakota

**NOTE:** *If you wish to join this meeting by conference call, please contact the Commission at 605-773-3201 by 5:00 p.m. on April 9, 2007. Lines are limited and are given out on first come/first serve basis, subject to possible reassignment to accommodate persons who must appear in a proceeding. Ultimately, if you wish to participate in the Commission Meeting and a line is not available you may have to appear in person.*

**NOTE:** *To listen to the Commission Meeting live please go to the PUC's website [www.puc.sd.gov](http://www.puc.sd.gov) and click on the LIVE button on the home page. The Commission requests that persons who will only be listening to proceedings and not actively appearing in a case listen via the webcast to free phone lines for those who have to appear. The Commission meetings are archived on the PUC's website under the Commission Actions tab and then click on the LISTEN button on the page.*

**NOTE:** *Notice is further given to persons with disabilities that this Commission meeting is being held in a physically accessible place. If you have special needs, please notify the Commission and we will make all necessary arrangements.*

# AGENDA OF COMMISSION MEETING

## Administration

1. Approval of the Minutes of the Commission Meeting Held on February 13, 2007, and the Ad Hoc Meeting Held March 7, 2007. (Staff: Demaris Axthelm)

## Consumer Reports

1. Status Report on Consumer Utility Inquiries and Complaints Received by the Commission. (Consumer Affairs: Deb Gregg)

## Electric

1. EL07-007 In the Matter of the Petition of Northern States Power Company d/b/a Xcel Energy to Establish a Transmission Cost Recovery Tariff and for Approval of 2007 Planned Transmission Investments to be Included in Rates. (Staff Analysts: Bob Knadle/Nathan Solem, Staff Attorney: Karen Cremer)

On February 28, 2007, Northern States Power Company D/B/A Xcel Energy filed a petition with the Commission for approval of a tariff establishing a Transmission Cost Recovery Rider (TCR Rider) pursuant to SDCL 49-34A-25.1 through 49-34A-25.4. The company also seeks approval to implement the tariff by including the allocated jurisdictional costs in the TCR Rider for transmission project expenditures that are

planned to be made in 2007. Staff is submitting a proposed contract for consulting services to the Commission.

*TODAY, shall the Commission Assess a Filing Fee Not to Exceed \$50,000 with an Initial Deposit of \$8,000? AND, shall the Commission Approve the Proposed Consulting Contract?*

**2. EL07-008 In the Matter of the Filing by Otter Tail Power Company for Approval of Tariff Revisions. (Staff Analysts: Nathan Solem/Bob Knadle, Staff Attorney: Karen Cremer)**

Application by Otter Tail Power Company for approval to revise its tariffed Summary of Contracts with Deviations. The existing contract with the City of Rosholt expired on January 11, 2007. Otter Tail states the new agreement does not contain any deviations from Otter Tail's currently filed tariff and therefore requests that reference to a contract with the City of Rosholt be removed from the Summary of Contracts with Deviations.

*TODAY, shall the Commission Approve the Tariff Revisions?*

**Natural Gas**

**1. NG07-002 In the Matter of the Filing by MidAmerican Energy Company for Approval of its 2006 Economic Development Report and its 2007 Economic Development Plan. (Staff Analyst: Keith Senger, Staff Attorney: Kara Van Bockern)**

On March 9, 2007, as part of the Decision and Order approving Settlement Stipulation in NG01-010, MidAmerican Energy Company filed its 2006 economic development report and its proposed 2007 economic development budget for Commission approval.

*TODAY, shall the Commission Approve the 2006 Economic Development Report and 2007 Economic Development Plan?*

**Telecommunications**

**1. TC03-191 In the Matter of the Filing by WWC License, LLC d/b/a CellularOne for Designation as an Eligible Telecommunications Carrier in Other Rural Areas. (Staff Analyst: Harlan Best, Staff Attorney: Karen Cremer)**

On November 5, 2003, WWC Holding Co., Inc. d/b/a CellularOne (Western Wireless) filed a petition to be designated as an eligible telecommunications carrier (ETC) for purposes of qualifying to obtain federal universal service support in the study areas of the following rural telephone companies: Golden West Telecommunications Cooperative, Inc., James Valley Cooperative Telephone Company, Splitrock Properties, Inc., Venture Communications Cooperative, Tri-County Telecom, Inc., Vivian Telephone Company, West River Telecommunications Cooperative (Mobridge) – SD, and West River Telecommunications Cooperative – SD. On January 3, 2005, the Commission, after full hearings and briefings on the matter, designated Western Wireless as an ETC within the additional areas in South Dakota. On April 2, 2007, Western Wireless filed a Motion to modify their ETC Designation Order to have its annual compliance filing and its ETC annual certification filings coincide on the date of the annual certification.

*TODAY, shall the Commission Approve the Requested Modifications?*

2. **TC06-152 In the Matter of the Application of Transamerica Telecom, Inc. for a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota (Staff Analyst: Harlan Best, Staff Attorney: Karen Cremer)**

On August 31, 2006, Transamerica Telecom, Inc (Transamerica), applied to the Commission for a Certificate of Authority to provide resold interexchange long distance services using the underlying facilities of Qwest or Global Crossing to business and residential customers in the State of South Dakota.

*TODAY, shall the Commission Grant a Certificate of Authority to Transamerica Telecom, Inc.?*

3. **TC07-006 In the Matter of the Application of Matrix Telecom, Inc. d/b/a Matrix Business Technologies for a Certificate of Authority to Provide Local Exchange Services in South Dakota. (Staff Analyst: Brian Rounds, Staff Attorney: Karen Cremer)**

On January 18, 2007, Matrix Telecom Inc. d/b/a Matrix Business Technologies ("Matrix") filed an application for a certificate of authority to provide facilities-based and resold local exchange telecommunications services in South Dakota. Matrix intends to provide local exchange telecommunications services and exchange access services, in part through the use of leased unbundled network elements from Incumbent Local Exchange Carriers (ILECs), commercial wholesale agreements, resale of services obtained from other carriers, or any combination thereof. Matrix intends to provide service throughout the area served by Qwest.

*TODAY, shall the Commission Grant a Certificate of Authority to Matrix Telecom, Inc. d/b/a Matrix Business Technologies?*

4. **TC07-009 In the Matter of the Filing by Level 3 Communications, LLC for a Continuation of an Exemption from Developing Company Specific Cost-Based Switched Access Rates. (Staff Analyst: Keith Senger, Staff Attorney: Kara Van Bockern)**

On November 13, 2003, the Commission issued an order granting Level 3 Communications, LLC (Level 3) an exemption from filing company specific cost-based switched access rates and allowed Level 3 to mirror the Qwest rates. On February 8, 2007, Level 3 filed a petition requesting a continuation of that exemption.

*TODAY, shall the Commission Grant a Continuation of an Exemption from Developing Company Specific Cost-Based Switched Access Rates to Level 3 Communications, LLC? AND, shall the Commission Allow Level 3 Communications, LLC to Mirror the Qwest intrastate Switched Access Rates with No Time Limitation? AND, shall the Commission Allow Level 3 Communications, LLC to File Adjustments to its Intrastate Switched Access Tariff so Long as Those Rate Adjustments Either Mirror Qwest's Rates or are Lower?*

5. **TC07-015 In the Matter of Filing by OrbitCom, Inc. f/k/a VP Telecom for Approval of its Intrastate Switched Access Tariff. (Staff Analyst: Harlan Best, Staff Attorney: Kara Van Bockern)**

On March 12, 2007, OrbitCom, Inc. (OrbitCom) filed textual revisions to its Switched Access Services tariff. OrbitCom is requesting to modify the Jurisdiction Reporting and Disputed Bills subsections.

*TODAY, shall the Commission Approve the Tariff Revisions?*

6. **TC07-016 In the Matter of the Filing by Dakota Comm, LLC for Approval of Revisions to**

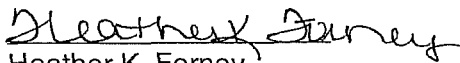
**its Switched Access Services Tariff. (Staff Analyst: Harlan Best, Staff Attorney: Karen Cremer)**

On March 15, 2007, Dakota Comm, LLC, submitted revised Switched Access Services tariff sheets implementing a \$0.01 per minute reduction to its switched access rate. In Docket TC04-222 issued December 17, 2004, Dakota Comm was granted an exempt from developing company specific cost-based switched access rates for three years and its switched access rates were approved subject to refund with interest should the final LECA plus rate be lower. This revision brings Dakota Comm in compliance with the LECA plus rate as determined by staff. Dakota Comm has requested an effective date of January 1, 2007.

*TODAY, shall the Commission Approve the Tariff Revisions? AND, shall the Commission Require a Refund to be Made?*

**Announcements**

1. The next regularly scheduled Commission meeting will be held April 24, 2007, at 8:30 a.m. in Room 412, State Capitol Building, Pierre, SD.
2. Commission meetings are scheduled for May 8 and 22, 2007.
3. The PUC offices will close at 12:00 noon on Friday, April 6, 2007, in observance of Good Friday.
4. A hearing in Dockets TC06-175 and TC06-176 will be held in Room 464, State Capitol Building, Pierre, SD, April 24 – 27, 2007. The hearing will begin immediately following the Commission Meeting on April 24, 2007, and at 8:30 a.m. on April 25, 26, and 27, 2007.
5. A hearing in Docket EL06-018 will be held in Room 412, State Capitol Building, Pierre, SD, on May 1, 2007. The hearing will begin at 8:30 a.m.
6. A hearing in Docket TC05-047 will be held in Room 412, State Capitol Building, Pierre, SD, on May 8, 2007. The hearing will begin at 1:30 p.m.



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April 4, 2007